

# Exhibit 1

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**BRIAN HUDDLESTON,**

Plaintiff,

vs.

**FEDERAL BUREAU OF  
INVESTIGATION and UNITED STATES  
DEPARTMENT OF JUSTICE**

Defendant

**Case No. 4:20-cv-447-ALM**

**DECLARATION OF TY CLEVINGER**


My name is Ty Clevenger, I am greater than 18 years of age and competent to testify, and I do testify as follows under penalty of perjury under the laws of the United States, and as witnessed by my signature below:

1. I have attached a true and correct copy of my April 25, 2022 invoice as Exhibit 2 to the Motion for Interim Payment of Costs and Attorney Fees (Doc. No. 52). The invoice accurately reflects the hours that I have expended and the costs that I incurred in prosecuting the Plaintiff's case.
2. I am representing the Plaintiff on a contingency basis, and thus far I have not been paid for any costs or fees.
3. The unpaid costs and fees have caused a significant financial hardship to me and to my family because I have been working on this case for almost two years without payment or reimbursement.
4. Given the outstanding issues identified in the Plaintiff's Response in Opposition to Defendants' Motion for Summary Judgment and Plaintiff's Cross-Motion for Summary Judgment (Doc. No. 46), I fully expect this litigation to continue for many months.
5. The \$500 hourly rate in my invoice is the same rate that I charge two other clients who are paying me on an ongoing basis to prosecute their respective FOIA cases. I expect to be retained by another FOIA client this week at the same rate.

6. My standard rate for all civil cases is \$500 per hour. I graduated from Stanford Law School in 2001 and clerked for Judge Morris S. Arnold of the Eighth Circuit immediately thereafter, and since that time I have practiced civil litigation for almost 20 years. Based on my experience level, \$500 per hour is reasonable and customary.

DECLARANT SAYS NOTHING FURTHER.

Date: April 25, 2022

  
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Ty Clevenger